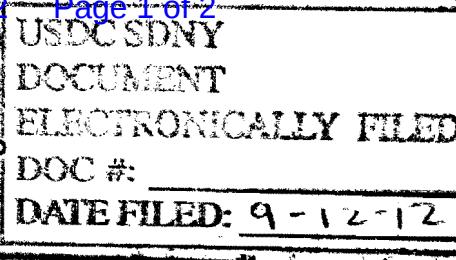


MILLER KORZENIK SOMMERS LLP

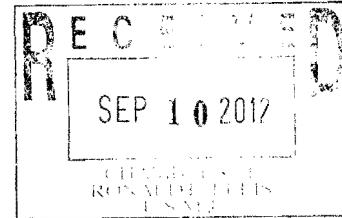
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BY HAND

September 7, 2012

Hon. Ronald L. Ellis
 Magistrate Judge, S.D.N.Y.
 Daniel Patrick Moynihan U.S. Courthouse
 500 Pearl St., Rm. 18D
 New York, NY 10007-1312



Re: Sokolow v. PLO et. al., 04-CV-00397 (GBD)(RLE)

Dear Magistrate Judge Ellis:

We represent the British Broadcasting Corporation (the “BBC”). We are writing with respect to your Honor’s Memorandum Opinion & Order filed September 6, 2012 (the “Sept. 6 Order”), insofar as it denies the BBC’s Motion to Quash the Subpoena served on it by Plaintiff s and partially grants Plaintiffs’ cross-Motion to Compel.

Because of the significance of that Order and its effect both on the First Amendment and federal privilege from compelled disclosure, and Rule 45’s territorial limitations, the BBC intends to file Objections with Judge Daniels, pursuant to Fed. R. Civ. P. 72 and 28 U.S.C. §636(b)(1). The Sept. 6 Order, however, mandates that the BBC produce its outtakes, which are not located within the United States, and the affidavit of a foreign witness, by September 17, which is prior to the time permitted for filing objections, or having those objections resolved, and is also the first full day of the Jewish high holy days which counsel for the BBC will be observing.

This Order to produce by September 17 would have the effect of rendering moot any determination of the BBC’s Objections in the BBC’s favor by the District Court. As such, it would, unfairly and irremediably, prejudice the BBC and its Middle East reporting, strip it of the statutory protection of the objection process, and provide a troubling precedent for other litigants. Given the Jewish holidays, it would prejudice counsel as well.

The BBC accordingly requests that the Sept. 6 Order be reconsidered or stayed so as to postpone any compelled disclosure from the BBC pending hearing and determination of the BBC’s Objections to Judge Daniels. The BBC will make every effort to file its objections without delay following the Jewish high holy days, and by letter this day has requested from Judge Daniels a brief extension to October 1, 2012 (Monday following Yom Kippur) of the period to file objections. Robert Tolchin, counsel for Plaintiffs, has refused our request to consent to the any of the above relief requested.

Respectfully Submitted,

Louise Sommers

*Stay granted
to October 1, 2012*
SO ORDERED

Ronald L. Ellis 9-10-12
 MAGISTRATE JUDGE RONALD L. ELLIS

Hon. Ronald L. Ellis
Magistrate Judge, SDNY.

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September 7, 2012

cc: VIA FAX AND E-MAIL

Robert J. Tolchin, Esq.
David I. Schoen, Esq.
Brian Hill, Esq.